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March 6, 2021

TO: House Judiciary Committee
RE: HB 2367 and HB 3115

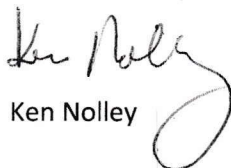
Chair Bynum, Vice-Chair Noble, Vice-Chair Power, and members of the committee:


In recent years, both of us have had considerable contact with persons experiencing homelessness here in Marion County. Jan has long volunteered at Helping Hands, which that provides clothing and other basic goods, including sleeping bags, to Marion County residents who need them. We both work with persons in re-entry, particularly persons who on the registry who are the hardest to house. Finding places to deal with the most basic of human functions—sleeping, eating, relieving themselves, and protecting basic possessions—are the central features of life on the streets or too many. This last year, with the pandemic and the fires, the problems of the unsheltered have been especially vexing.

While either of these bills would represent an important step forward, we have some serious concerns about a couple of limitations in HB 3115. First, we are concerned that the remedy provided for homeless county residents by HB 3115 is circuit court. We believe that without experience in the legal system, and without funds for an attorney, most homeless persons will likely feel that pursuit of a remedy in that venue is hopeless. HB 2367, however, provides both a more approachable avenue through an agency and the possibility some assistance. If the committee choses largely to go with 3115, we hope that an approachable route to remediation can be included.

Further, in Marion County at least, the changing course of city and county policies have on occasion uprooted what little stability many lives have, as sleeping places are cleared and possessions are hauled away. For that reason alone, we believe that provisions for modest compensatory damages and civil penalties should be included in whatever bill emerges.

Finally, HB 2367 confronts the fact that the problems faced by persons living without homes do not all arise from city and county policy. Harassment comes from non-governmental sources as well. If the humanity of our homeless neighbors is to be respected, there must be provision against the wider sources of harassment. For all these reasons, we hope that the committee will either push HB 2367 forward, or at least incorporate more of its features into a strengthened version of HB 3115.


Ken Nolley


Jan Nolley, MSW